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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of

J. Callister *et al.*

For: **OCCLUDING DEVICE AND  
METHOD OF USE**

Serial No.: 09/911,551

Filed: July 23, 2001

Docket No.: R0371-00402

Examiner: M. Brown

Group Art Unit: 3764

**TERMINAL DISCLAIMER BY  
ATTORNEY**

**CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted by facsimile to Examiner Michael Brown (703) 872-9306,  
Mail Stop Fee Amendment, Commissioner for Patents on 1/6/04 in San Francisco, CA.

By: *[Signature]*

Mail Stop Fee Amendment  
Commissioner for Patents  
via Facsimile

Dear Sir:

I, Edward J. Lynch, am an attorney representing the Assignee,  
Ovion, Inc. The assignee is the registered owner of all right, title and interest in  
and to the above-identified application.

The terminal portion of any patent which is granted on the above-  
identified application which would extend beyond the expiration date of the full  
statutory term of U.S. Patent No. 6,432,116 is hereby disclaimed on behalf of the  
Assignee, Ovion, Inc.

It is hereby agreed that any patent granted on the above-identified  
application shall be enforceable only for and during such period that the legal title 09911551

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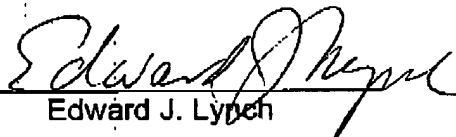
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Docket No. R0371-00402

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to any patent granted on the above-identified application shall be the same as the legal title to U.S. Patent 6,432,116. This agreement shall run with any patent granted on the above-identified application and shall be binding upon the grantor, its successors or assigns.

No disclaimer is hereby made on any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent 6,432,116 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated: Jan 6, 2004

  
Edward J. Lynch